IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HON'BLE THE ACTING CHIEF JUSTICE MR.K.S.RADHAKRISHNAN
&
THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

WEDNESDAY, THE 4TH APRIL 2007 / 14TH CHAITHRA 1929

WA.No. 913 of 2007()

W.P.(C) 8870 OF 2007 OF THIS COURT.

APPELLANTS: PETITIONERS
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1. M.A.USMAN, PRESIDENT, PARENT TEACHERS ASSOCIATION, KAKKUNNATH MAPPILA L.P.SCHOOL PONNERIPARAMBA P.O., VATAKARA, KOZHIKODE DIST.

2. V.RAMAKRISHNAN, HEADMASTER, KAKKUNNATH MAPPILA L.P.SCHOOL, PONNERIPARAMBA P.O., VATAKARA, KOZHIKODE DIST.

3. M.K.RAMESH BABU, TEACHER, KAKKUNNATH MAPPILA L.P.SCHOOL, PONNERIPARAMBA P.O., VATAKARA, KOZHIKODE DIST.

4. P.USHAKUMARI, ASSISTANT TEACHER, KAKKUNNATH MAPPILA L.P.SCHOOL, PONNERIPARAMBA P.O., VATAKARA, KOZHIKODE DISTRICT.

5. M.USHA, ASSISTANT TEACHER, KAKKUNNATH MAPPILA L.P.SCHOOL, PONNERIPARAMBA P.O., VATAKARA, KOZHIKODE DIST.

6. K.BASHEER, ASSISTANT TEACHER, KAKKUNNATH MAPPILA L.P.SCHOOL, PONNERIPARAMBA P.O., VATAKARA, KOZHIKODE DISTRICT.

7. T.KARTHIKA, KAKKUNNATH MAPPILA L.P.SCHOOL, PONNERIPARAMBA P.O., VATAKARA, KOZHIKODE DIST.

BY ADV. SRI.KALEESWARAM RAJ

RESPONDENTS: RESPONDENTS
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1. STATE OF KERALA, REPRESENTED BY THE SECRETARY TO GOVERNMENT, DEPARTMENT OF GENERAL EDUCATION, SECRETARIAT,THIRUVANANTHAPURAM

2. THE DIRECTOR OF PUBLIC INSTRUCTIONS, THIRUVANANTHAPURAM.

3. THE DEPUTY DIRECTOR OF EDUCATION, KOZHIKODE.

4. THE DISTRICT EDUCATIONAL OFFICER, VADAKARA.

5. THE ASSISTANT EDUCATIONAL OFFICER, THODANNUR, P.O.THODANNUR, VADAKARA.

6. THEERTHAMKARA PATHUMMA, W/O.AVULLA HAJI SWASTHAM, KAKKUNNATH, PONMERI AMSOM, PARAMBIL DESOM, VADAKARA TALUK.

7. KAKKUNNATH AYISSA, KAKKUNNATH, PONMERI AMSOM, PARAMBIL DESOM, VADAKARA TALUK.

8. KAKKUNNATH IBRAYI, PONMERI AMSOM, PARAMBIL DESOM, VADAKARA TALUK.

9. KAKKUNNATH JAMALUDHEEN, PONMERI AMSOM, PARAMBIL DESOM, BADAKARA TALUK.

10. KAKKUNNATH KATHEESS, PONMERI AMSOM, PARAMBIL DESOM, BADAKARA TALUK.

11. KAKKUNNATH YUSEE, PONMERI AMSOM, PARAMBIL DESOM, VADAKARA TALUK.

12. KAKKUNNATH MOOSA, PONMERI AMSOM, PARAMBIL DESOM, VADAKARA TALUK.

13. KAKKUNNATH NAFEESA, PONMERI AMSOM, PARAMBIL DESOM, VADAKARA TALUK.

14. PARACKAL POKER HAJI, MANAGER, KAKKUNNATH MAPPILA L.P.SCHOOL, PONNERIPARAMBA P.O., VATAKARA, KOZHIKODE DIST.

15. PARACKAL MAMI, W/O.POCKER HAJI,
PONNERIPARAMBA P.O., VADAKARA, KOZHIKODE.

16. THE CIRCLE INSPECTOR OF POLICE,
VADAKARA.

17. THE SUB INSPECTOR OF POLICE, VADAKARA.

R1 TO 5, 16 AND 17 BY SR. G.P. SMT. K. MEERA

THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 04/04/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.S.RADHAKRISHNAN, Ag. C.J.
&
M.N. KRISHNAN, J.

W.A..No.913 OF 2007

DT. APRIL 4, 2007

JUDGMENT

K.S.Radhakrishnan, Ag.C.J.

We see no reason to entertain this writ appeal. All the same, there will be a direction to the 1st respondent to examine as to whether the properties belonging to the Kakkunnathu Mappila L.P.School be preserved. However, we make it clear that we are not interfering with the execution proceedings. We also make it clear that the authorities will act only on the basis of the Kerala Education Act and Rules and taking note of the interests of the students studying in the school. With the above observation this writ appeal is disposed of.

K.S.RADHAKRISHNAN,
(Ag. CHIEF JUSTICE)

M.N. KRISHNAN, J.
(JUDGE)

mt/-